

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ROBERT F. KEESE III

Plaintiff

v.

M/V *PANORMOS*, her engines, tackle,  
machinery, appurtenances, apparel and freight,  
etc., *in rem*, and MARMARAS NAVIGATION,  
LTD., and BANTEL SHIPPING COMPANY, LTD.,  
*in personam*,

Defendants

CIVIL ACTION NO. **05-10343-GAO**

JOINT STATEMENT OF THE PARTIES  
IN CONNECTION WITH INITIAL SCHEDULING CONFERENCE

In anticipation of the Initial Scheduling Conference set for December 8, 2005, and pursuant to Fed. R. Civ. P. 16(b), and L.R. 16.1, and the Court's scheduling order, the parties submit this Joint Statement regarding discovery and other pre-trial matters.

**I. CERTIFICATES OF COMPLIANCE**

The parties are independently filing their Certificates of Compliance of conference between parties and their counsel pursuant to Local Rule 16.1(D)(3).

**II. PROPOSED PLAN FOR DISCOVERY AND MOTION PRACTICE**

Pursuant to Fed.R.Civ.P. 16(b), the parties propose the following discovery plan:

- A. The parties will serve all written discovery requests by January 16, 2006;
- B. Pursuant to Fed.R.Civ.P. 12-15, the parties will file all motions, amendments and supplements to the pleadings, including all motions to add additional parties by March 15, 2006;
- C. The parties will complete all factual depositions by May 1, 2006;
- D. The Plaintiff will designate his trial experts and disclose the information set forth in Fed.R.Civ.P. 26(b) (4) (A) (i) by June 1, 2006 and the Defendant will do so by June 30, 2006;

- E. The parties will file all dispositive motions, including all motions for summary judgment, by June 1, 2006;
- F. The parties will complete all non-expert and expert discovery, including expert depositions, by September 1, 2006;
- G. The parties will thereafter attend a final pretrial conference to be scheduled by the court.

### III. CONSIDERATION OF TRIAL BY MAGISTRATE JUDGE AND ADR

The parties do not all consent to trial by magistrate judge at this time.

**M/V PANORMOS; MARMARAS NAVIGATION,  
LTD; and BANTEL SHIPPING COMPANY LTD**  
By their attorneys,

/s/ John J. Finn  
John J. Finn, BBO# 166060  
FINN & FINN  
2 Hayden Rowe  
Hopkinton, MA 01748  
Tel: 508-497-5019; fax: 508-479-5190

**ROBERT F. KEESE III**  
By his attorneys,

/s/ Michael J. Rauworth  
Michael J. Rauworth, BBO# 547711  
**CETRULO & CAPONE LLP**  
World Trade Center East — 10<sup>th</sup> Floor  
Two Seaport Lane  
Boston, Massachusetts 02210  
Tel: (617) 217-5219; fax: 617-217-5200